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REMARKS

Claims 1-22 are pending. By this Amendment, the Specification is amended to correct a minor typographical error therein. Figure 4 is amended to correct minor typographical errors contained therein. Support for the changes to Figure 4 is at least provided on page 14, line 27 through page 15, line 3. Accordingly, Applicants respectfully submit that no new matter is added.

Applicants respectfully request reconsideration of the Application in view of the remarks contained herein.

### *Claim Rejections - 35 U.S.C. § 103*

Claims 1, 5-10, and 14-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,006,216 to Griffin et al. ("Griffin") in view of U.S. Patent No. 6,119,117 to Yoda et al. ("Yoda"). Applicants respectfully traverse the rejection and all assertions therein.

Applicants note that, although the rejection is asserted to be an nonobviousness rejection, the substance of the rejection appears to contain both an anticipation basis as well as an nonobviousness basis.

The anticipation basis of the rejection is essentially identical to the 35 U.S.C. § 102 rejection asserted in the Office Action dated February 22, 2007, which, according to the present Office Action, has been rendered moot in light of the combination of Griffin and Yoda. Nonetheless, the anticipation basis of the present rejection is deficient for at least the reasons explained in the Response dated May 22, 2007. Particularly, it has not been shown that Griffin discloses "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1.

Again, it is asserted that Griffin discloses "an action type in the delta (*i.e.*, "+" for add, "-" for delete, and "mod" for update, lines 24-36 in col. 11)." *See* the Office Action at page 3, lines 13-14. However, it is then asserted that Griffin discloses that "the deltas include update transactions, such as add, delete, and update, lines 24-36 in col. 11, thus the condition would be

every update transaction." *Id.* at page 3, lines 15-17. Therefore, it now appears that the Examiner is asserting the action types of Griffin are the update or read transactions.

As explained in the Response dated May 22, 2007, if the action type is considered to be "+", "-", or "mod", then it has not been shown that Griffin discloses "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1, because there is no condition to meet. Rather, the action types "+", "-", and "mod" do not exist until the deltas are generated. *See* Griffin at col. 11, lines 24-36. Therefore, if the action types do not exist until the deltas are created, the action types cannot be used to determining when to create the deltas. That is, the representations of an action type and a unique key cannot be stored in the deltas under a condition that the action type coincides with a predetermined action type, because the action types asserted in the Office Action (*i.e.*, the "+", "-", and "mod") do not exist until after the deltas are created. Accordingly, Applicants respectfully submit that Griffin does not disclose the feature of storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type, recited in Claim 1.

If the action types are considered the update and read transaction, then it has not been shown that Griffin discloses such a feature because Claim 1 recites, in relevant part "storing representations, for at least one entry *in the source table*." Griffin does not disclose directing read transactions to the AdminDB (the feature of Griffin assertedly corresponding to the source table recited in Claim 1 on page 7, lines 1-6 of the Office Action). Rather, Griffin states that "[a]pplication read transactions 21 are directed against one copy referred to herein as ReadDB 22; application update transactions 28 are directed against the other copy referred to herein as AdminDB 20." *See* Griffin at col. 6, lines 10-14 and Figure 2. Consequently, because only update transactions are directed towards the AdminDB 20 (*i.e.*, the source table of Griffin), it is not necessary to determine whether a read transaction or an update transaction is being directed to the AdminDB 20. Consequently, it has not been shown that Griffin discloses a condition that must be met prior to storing representations. Thus, Applicants respectfully submit that cited

portions of Griffin do not disclose "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1.

The cited portions of Yoda fail to overcome the deficiencies of Griffin. It is asserted that col. 3, lines 44-46; col. 12, lines 12-19; and col. 18, lines 1-6 of Yoda discloses "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1. Applicants respectfully disagree.

Col. 3, lines 44-46 read "[t]he document management method may further comprise the step of specifying an operation type to be targeted to selectively acquire the journal of operations." However, it has not been articulated how this portion of Yoda discloses "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1. For example, it has not been shown how this portion of Yoda discloses, for example, storing representations, a source table, a unique key, an action type, or a condition that the action type coincides with a predetermined action type. Such features are simply absent from this cited portion of Yoda.

Col. 12, lines 12-19 read:

In the journal monitoring process, when "DOCUMENT OPERATION (OPERATOR, TYPE, and DOCUMENT ID)" has been received from the operating system (steps C1 and C2 of FIG. 10), a check is made to see if the operator name in the message has been stored in the monitor user name table (step C5). If it has been stored in the table, the following pieces of information will be recorded in the journal storage section 24 (step C6):

This portion of Yoda is similarly deficient. That is, it has not been shown how this portion of Yoda allegedly discloses "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1. The Office Action merely offers a conclusory statement that this portion of Yoda discloses the above-recited feature of Claim 1 without any articulated support or explanation.

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Col. 18, lines 1-6 reads:

The monitor rule is referred to by the journal monitoring section 3m and consists of the monitoring the job duration time, the operation type, and the name of a document to be operated on. When the rule is marked with the symbol "*", this means that all document operations are to be monitored and stored in the journal storage section 24.

Again, no explanation has been provided as to how or why this portion allegedly discloses "storing representations, for at least one entry in the source table, of the action type and of the unique key in a log table under a condition that the action type coincides with a predetermined action type," as recited in Claim 1. Consequently, the Office Action merely makes a conclusory statement without any explanation.

Moreover, the Office Action has failed to satisfy its burden when rejecting a claim for obviousness under 35 U.S.C. § 103. "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR Int'l Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1396 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)). As explained above, portions of Yoda allegedly disclosing a feature of Claim 1 are cited without any explanation as to the relevance of the cited portions or how these portions allegedly disclose the features absent from Griffin. Moreover, there has been no articulated reason provided as to why one skilled in the art would combine the cited portions of Yoda with the disclosure of Griffin, particularly in light of the unrelatedness of the two references, *i.e.*, a data architecture for fetch-intensive database applications (Griffin) and a document management method (Yoda). On the contrary, it appears that the present application has been used as a blueprint for combining feature of otherwise unrelated references.

Accordingly, not only has it not been shown that cited portions of Griffin and Yoda disclose each and every feature recited in Claim 1, the requisite showing, *i.e.*, articulation of sufficient reasons as to why the asserted combination would yield nothing more than predictable results to one of ordinary skill in the art, has also not been established. As such, Applicants respectfully submit that *prima facie* obviousness has not been met and that the rejection is

improper for at least the reasons explained above. Therefore, Applicants respectfully submit that the rejection is improper and should be withdrawn.

The rejection of Claims 10, 19, and 22 is deficient for at least one or more of the reasons explained above with respect to Claim 1.

Claims 5-9 depend from Claim 1; Claims 14-18 depend from Claim 10; and Claims 20-21 depends from Claim 19. Therefore, Applicants respectfully submit that Claims 2-9, 11-18, and 20-21 are allowable for at least the same reasons Claims 1, 10, and 19 are allowable.

Claims 2-4 and 11-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Griffin in view of Yoda and further in view of U.S. patent No. 6,484,309 to Nowlin, Jr. et al. ("Nowlin"). Applicants respectfully traverse the rejection and all assertions therein.

Claims 2-4 depend from Claim 1, and Claims 11-13 depend from Claim 10. However, it has not been shown how Nowlin overcomes the deficiencies of Griffin in view of Yoda as applied to Claims 1 and 10. As such, Applicants respectfully submit that the rejection of Claims 2-4 and 11-13 is deficient for at least the same reasons explained above with respect to Claims 1 and 10. As such, Applicants respectfully submit that the rejection of Claims 2-4 and 11-13 is improper and should be withdrawn.

Accordingly, Applicants respectfully request withdrawal of the rejections.

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## CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above, and for other reasons clearly apparent, Applicants respectfully submit that the Application is in condition for allowance, and request such a Notice. If the present Application is not allowed and/or if one or more of the rejections is maintained or made final, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule a telephone conference.

It is believed that no fee is due at this time. However, the Commissioner is hereby authorized to charge any other deficiencies or required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

Date: October 12, 2007

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Enclosures

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